

FORM PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
011115TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/857325

INTERNATIONAL APPLICATION NO.  
PCT/NZ01/00006INTERNATIONAL FILING DATE  
1/19/2001PRIORITY DATE CLAIMED  
1/20/2001

TITLE OF INVENTION Preparation and Xenotransplantation of Porcine Islets

APPLICANT(S) FOR DO/EO/US Diatranz,

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Postcard; Certificate of Express Mail

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21. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1,000.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$1,000.00

Surcharge of \$130.00 for furnishing the oath or declaration later than  
months from the earliest claimed priority date (37 CFR 1.492 (e)). ☐ 20 ☒ 30

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	41 - 20 =	21	x \$18.00	\$378.00
Independent claims	3 - 3 =	0	x \$80.00	\$0.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00 \$0.00

**TOTAL OF ABOVE CALCULATIONS =** \$1,508.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2. \$754.00

**SUBTOTAL =** \$754.00

Processing fee of \$130.00 for furnishing the English translation later than  
months from the earliest claimed priority date (37 CFR 1.492(f)). ☐ 20 ☐ 30

\$0.00

**TOTAL NATIONAL FEE =** \$754.00

Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$0.00

**TOTAL FEES ENCLOSED =** \$754.00

Amount to be  
refunded: \$  
charged: \$

- a. ☒ A check in the amount of \$754.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-0545 in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-0545. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

FACTOR & PARTNERS, LLC  
1327 W. Washington Blvd., Suite 5G/H  
Chicago, IL 60607  
(312) 226-1818  
(312) 226-1919 fax

SIGNATURE:

Jovan N. Jovanovic  
NAME

40039  
REGISTRATION NUMBER

09/857325

JC18 Rec'd PCT/PTO 3 1 MAY 2001

In Re Apln. of:

Elliott et al.

Ser. No.:

TO BE ASSIGNED

Filed on:

May 31, 2001

For:

PREPARATION AND  
XENOTRANSPLANTATION OF  
PORCINE ISLETS

Docket No.:

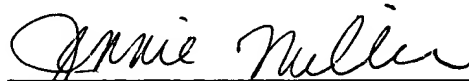
011115

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Mailing Label No. : EL770224605US

Date of Deposit - May 31, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service, "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 in an envelope addressed to Box PATENT APPLICATION, Assistant Commissioner for Patents, Washington DC 20231, on May 31, 2001.

  
Jennie Miller